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WESTERN DISTRICT OF LOUISIANA
LAFAYETTE, LOUISIANA

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

LAFAYETTE DIVISION

PHILLIP SCHANE

CIVIL ACTION NO. 07-1068

VS.

SECTION P

BURL CAIN, WARDEN

JUDGE MELANÇON

MAGISTRATE JUDGE METHVIN

JUDGMENT

For the reasons stated in the Report and Recommendation of the Magistrate Judge previously filed herein, and after an independent review of the record, including the objections filed by petitioner, and having determined that the findings and recommendation are correct under the applicable law;

IT IS ORDERED that this petition for *habeas corpus* be **DENIED AND DISMISSED WITH PREJUDICE** because petitioner's claims are barred by the one-year limitation period codified at 28 U.S.C. §2244(d).

THUS DONE AND SIGNED, in Chambers, in Lafayette, Louisiana, on this 29th day of February 2007.

COPY SENT:
DATE: 2/29/08
BY: CW
TO: TJM
PJ



TUCKER L. MELANÇON
UNITED STATES DISTRICT JUDGE